

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **Diana King v McPherson Hospital**  
Docket No. **276287**  
L.C. No. **04-020535-NH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal and motion for extension of time to file appellant's brief are DISMISSED for lack of jurisdiction because the January 26, 2007 order is not a MCR 7.202(6)(a)(i) final order as it is not the first order disposing of the claims of the appellant. Instead, it is this Court's opinion of July 12, 2005, in docket numbers 259136 and 259229 that is the MCR 7.202(6)(a)(i) final order as this Court specifically stated, "The trial court improperly denied defendants' motion for summary disposition because the claim was not timely filed." This Court then "Reversed" without remanding to the trial court for further proceedings. Appellant specifically argued in the motion for reconsideration filed in this Court that there were other issues to be decided and this Court rejected that argument by denying the motion for reconsideration. The Supreme Court denied appellant's application for leave to appeal. As such, there was nothing left for the trial court to decide and therefore the January 26, 2007 order is not a MCR 7.202(6)(a)(i) final order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 11 2007

Date

*Sandra Schultz Mengel*

Chief Clerk